

Attachment to Independent Case Review Report
For CDRU # 6320 Case file # 95-246470.

Material Examiner Malone

Remarks:

CRM - 10669

4

Area(s) of Expertise: Hair and Fiber

File #: 95-246470

Laboratory #(s):	11119042	21013041
	11130112	
	20707034	

	Reviewed	Not Reviewed		Reviewed	Not Reviewed
RQ	X	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
QW	<input type="checkbox"/>	X		<input type="checkbox"/>	<input type="checkbox"/>
MW	<input type="checkbox"/>	X		<input type="checkbox"/>	<input type="checkbox"/>

Trial testimony transcript(s) of:

Testimony Date(s): _____ Pages: _____

Laboratory Number:	11130112, 11119042	Date:	Jan 21, 1982
Laboratory Number:	20707034	Date:	Sep 27, 1982
Laboratory Number:	21013041	Date:	Nov 16, 1982

Laboratory Number:	11130112, 11119042
	20707034
	21010341

Initials: *SM*

CRM - 10670

Was any other material reviewed? ☒ Yes ☐ No

If yes, please identify and/or describe the material: Submitting agency letters dated Nov 18, 1981 and Nov 27, 1981

Results of Review

File #: 95-246470

Item or Specimen # Reviewed: Q1-Q7, Q20-Q21, Q24, Q33, Q36-

Q42, K3-K4, K6-K9

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
☐ Yes ☐ No ☒ Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
☐ Yes ☒ No ☐ Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

☒ Transcript not available.

- 3) Testimony consistent with the laboratory report(s)? ☐ Yes ☐ No ☐ Unable to Determine
- 4) Testimony consistent with the bench notes? ☐ Yes ☐ No ☐ Unable to Determine
- 5) Testimony within bounds of examiner's expertise? ☐ Yes ☐ No ☐ Unable to Determine

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Initials: SM

Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

File #: 95-246470

#1. There is insufficient documentation to determine if the hair comparison was performed in a scientifically acceptable manner.

#2. The results are not adequately documented in the notes. The notes are not dated, are in pencil and are not initialled by the technician(s). Some hair were deemed unsuitable for comparison with no reason or explanation given. K6 and K7 samples are incorrectly marked K4 and K5 by the technician. There are some erasures in the notes. The examiner did not initial some of his notes. Some abbreviations are used that are difficult to interpret.

The examiner did not report that the Q7 pubic hair matching the suspect was forcibly removed, an important characteristic that shows force was involved. He also did not report the presence of an unidentified pubic hair on Q20 (towel).

Review completed at: 5:00 PM (Time), 09 / 16 / 99 (Date)

Total time spent conducting review (to nearest 1/4 hour):

1 hour

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 3 pages.

Steve Roberts
(Signature)

9-16-99
(Date)

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Initials: SR